

Notice of Allowability

Application No.

10/064,252

Examiner

Cheukfan Lee

Applicant(s)

YEH, CHIEN-LIANG

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to an amendment filed 9/24/2007.
2. ☒ The allowed claim(s) is/are 1-17, 19-24 and 27-38, now renumbered 1-19, 21-25, 27-35, 20, and 26 respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

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1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Gregg Palmer on September 28, 2007.

3. **Please amend the claims as follows:**

In claim 34, line 1, change "An apparatus" to – A scanning device --; and line 4, before "means for protecting", insert – resilient --; change "protecting means" to – resilient means --.

In claim 35, line 1, change "apparatus" to – scanning device --.

In claim 36, line 1, change "apparatus" to – scanning device --, and change "protecting" to – resilient --.

4. Claims 1-17, 19-24 and 27-38 are allowed. Claims 1, 10, 21, 28, and 34 are independent.

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5. The following is an examiner's statement of reasons for allowance:

Claim 1 is allowable over the prior art of record because the closest prior art Short et al. (US 6,687,024) does not disclose a slot of the lower case of the scanning apparatus, i.e., the slot within which a plurality of resilient elements are mounted, or adapted to be mounted. This feature in combination with other limitations of claim 1 is not taught by Short et al. The resilient elements (56-58) of Short et al. are shown to be attached to the bezel (16) of the lower case (base 12).

Claims 2-9 depend on claim 1.

Claim 10 as amended includes the limitations of claim 18, now canceled. Claim 18 was indicated allowable if rewritten in independent form. Claim 10 is allowable because Short et al. (US 6,687,024) does not disclose disposing the resilient elements (56-58) to form a stepped distribution of resilient elements (see Fig. 4 of Short et al.), in combination with other limitations of claim 10.

Claims 11-17, 19, 20, and 37 depend on claim 10.

Claim 21 as amended includes the limitation of claim 26, now canceled. Claim 26 was indicated allowable if rewritten in independent form. Claim 21 is allowable because Short et al. (US 6,687,024) does not disclose that the resilient elements are disposed parallel with respect to one another such that one of the plurality of resilient elements comprises a length greater than the other resilient elements.

Claims 22-27 and 38 depend on claim 21.

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Claim 28, which includes the limitation of claim 10 before the amendment filed September 24, 2007 and the limitation of claim 19, which was indicated to contain allowable subject matter, is allowable because the resilient elements (56-58) of Short et al. are not generally bar-shaped (see Fig. 4).

Claims 29-33 depend on claim 28.

Claim 34 as amended above in the Examiner's amendment recites a scanning device comprising resilient means for protecting the window transparent board from shock, the resilient means mounted in the slot of the lower case to be adjacent to an inner surface of the slot and a side portion of the window transparent board. This limitation is similar to the allowable limitation of allowed claim 1.

Claim 35 and 36 depend on claim 34.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheukfan Lee whose telephone number is (571) 272-7407. The examiner can normally be reached on 9:30 a.m. to 6:00 p.m., Mon-Fri.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Cheukfan Lee
September 28, 2007